

CIVIL CASE NO. 2:10cv024

Defendant.

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ORDER OF REMAND

Specifically, the Defendant asks that the Appeals Council remand the

case to an Administrative Law Judge (“ALJ”) with instructions to conduct a new hearing and issue a new decision, particularly for the purpose of further evaluating the November 2006 psychological report from Aimee Todd-Pillman, Psy.D. (T. 364-67), and evaluating the March 2007 conclusion of a hearing officer with the North Carolina Department of Health and Human Services that Plaintiff is disabled (T. 63).

Based on the representations of the parties, the Court finds that reversal and remand are appropriate. Melkonyan v. Sullivan, 501 U.S. 89, 111 S.Ct. 2157, 115 L.Ed.2d 78 (1991).

IT IS, THEREFORE, ORDERED that the parties' Consent Motion for Reversal and Remand pursuant to Sentence Four of 42 U.S.C. §405(g) [Doc. 11] is hereby **GRANTED**; and

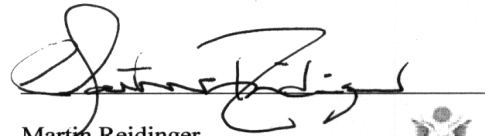
IT IS FURTHER ORDERED that the decision of the Commissioner of Social Security is hereby **REVERSED** and the case is **REMANDED**; and

IT IS FURTHER ORDERED that upon remand, the Appeals Council remand the case this case to an Administrative Law Judge (“ALJ”) with instructions to conduct a new hearing and issue a new decision. The ALJ shall also be instructed to further evaluate the November 2006 psychological report from Aimee Todd-Pillman, Psy.D., and to evaluate the March 2007 conclusion of a hearing officer with the North Carolina Department of Health and Human

Services that Plaintiff is disabled.

A Judgment of Remand is entered simultaneously herewith. The Clerk of Court is notified that this is a final judgment closing the case.

Signed: July 12, 2011

A handwritten signature in black ink, appearing to read "Martin Reidinger", is written over a horizontal line.

Martin Reidinger
United States District Judge

